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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/568,576	02/17/2006	Thomas Beerens		7144
Tony Crisafi 20 Renown Street Bentleigh, 3204 AUSTRALIA			EXAMINER LORENCE, RICHARD M	
			ART UNIT 3681	PAPER NUMBER
			MAIL DATE 04/22/2008	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/568,576

Applicant(s)

BEERENS, THOMAS

Examiner

Richard M. Lorence

Art Unit

3681

Period for Reply -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 February 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-4 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 17 February 2006 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/5508)
- 4) ☐ Interview Summary (PTO-413)
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____
- Paper No(s)/Mail Date _____

DETAILED ACTION

This is the first Office action on the merits of Application No. 10/568,576 filed on February 17, 2006. Claims 1-4, corresponding to the claims filed on September 20, 2005 in the international application PCT/AU05/01020, are currently pending.

Priority

Acknowledgment is made of applicant's claim for foreign priority under 35 U.S.C. 119(a)-(d). A copy of the certified copy of the priority document has been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

Information Disclosure Statement

It is noted that the transmittal letter filed on February 17, 2006 and the Form PCT/DO/EO/903 (371 Acceptance Notice) mailed on September 14, 2006 each refer to an Information Disclosure Statement (IDS) filed on February 17, 2006. Unfortunately, the IDS is not currently included in the application file. Applicant is requested to resubmit a copy of the IDS, including copies of any foreign patent documents cited therein, so that the IDS can be properly considered by the examiner.

Specification

The abstract of the disclosure is objected to because it includes legal phraseology often used in patent claims, such as "means" and "said". Correction is required. See MPEP § 608.01(b).

Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1-4 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In line 4 of claim 1 the recitation of the drive means, which "may be" a spline or sprocket, is vague.

Claim 1, line 5 is unclear as to what the apertures are radially spaced from.

In lines 7-8 of claim 1, the recitation "when the drive means is inserted" is not clear since the claim as understood is directed to the combination of the drum and drive means in the assembled condition.

It is not entirely clear whether claim 2 is drawn to the drum assembly or to a method of connecting the drive means to the drum, since the metal pressed from the

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end wall of the drum is pressed against the die recited in lines 6 and 7 only during the act of connecting of the drum and drive means.

Claim 4 does not recite any active method steps beyond using a punch tool, rendering it unclear what method applicant intends to encompass.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-4 as best understood are rejected under 35 U.S.C. 103(a) as being unpatentable over US 5,636,935 A (Beerens).

Beerens discloses a clutch drum assembly including the clutch drum (21) with an end wall (22) having a central aperture (24); and a drive sprocket (1) with a spigot (3). Beerens connects the sprocket to the drum by passing projections (6) on the sprocket through spaced apertures (26) formed in the end wall of the drum. The assembly presently claimed differs from the arrangement shown in the '935 patent primarily in that the parts on which the spaced apertures and projections are formed are reversed.

The placement of the spaced apertures on a radially extending flange of the drive sprocket, rather than on the radially extending end wall of the drum, would have been an obvious variation of the arrangement shown in the '935 patent, since in using this type of connection they can only be formed on either the drum or the sprocket.

Claims 1-4 as best understood are further rejected under 35 U.S.C. 103(a) as being unpatentable over US 3,610,385 A (Dolata) in view of US 4,658,502 A (Eckold et al.).

Dolata discloses a clutch drum assembly including the clutch drum (1) with an end wall (3) having a central aperture; and a drive means (6) with a flange (7) and a spigot (8). Dolata connects the drum to the drive means by deforming the collar (5) of the drum into a groove (11) on the drive means.

Eckhold et al. discloses a method of joining parts wherein metal on one part (20) is punched through an aperture (34) on another member (18).

It would have been an obvious to one having ordinary skill in the art at the time the invention was made to secure the drum and hub of Dolata using the known technique disclosed by Eckhold et al. since the result would have been predictable.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

US 2,799,174 A (Pelletier), US 3,337,940 A (Stihl et al.), US 4,343,705 A (Scott-Jackson et al.) and DE 3135203 A1 (Bohlmann) each disclose clutch drums connected to a drive member.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Richard M. Lorence whose telephone number is (571) 272-7094. The examiner can normally be reached on Mondays through Fridays from 10:30AM to 7:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Charles A. Marmor can be reached on (571) 272-7095. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Richard M. Lorence/
Primary Examiner, Art Unit 3681